

**57-9-3 Marketable record title held free and clear of interests, claims, and charges.**

Subject to Sections 57-9-2 and 57-9-6:

- (1) the marketable record title shall be held by its owner and shall be taken by any person dealing with the land free and clear of all interests, claims, or charges, whatsoever, the existence of which depends upon any act, transaction, event, or omission that occurred prior to the effective date of the root of title; and
- (2) all such interests, claims, or charges, however denominated, whether legal or equitable, present or future, whether the interests, claims, or charges are asserted by a person sui juris or under a disability, whether the person is within or without the state, whether the person is natural or corporate, or is private or governmental, are declared to be void.

Amended by Chapter 299, 1995 General Session